GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES- HOME DEPARTMENT – Initiation of Disciplinary proceedings against Sri M.J.Sudhakar, the then Office Supdt D.P.0 erstwhile East Godavari District, Kakinada and retired from service as Administrative Officer in 3rd Bn.. A.P.S.P.Kakinada - Departmental action under Rule 9 (2) (a) of the A.P. Revised Pension Rules, 1980 – Article of charge – issued.

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HOME (SERVICES-I) DEPARTMENT

G.O.RT.No. 979 Dated: 03-10-2024

Read the following:-

1) From the DGP, AP, Mangalagiri, Lr.Rc.No.931/O1/2021, Dt:06.08.2024.
2) G.O Ms No 120, Home (Ser.I) Dept., dated .03.10.2024.
3) G.O Ms No 122, Home (Ser.I) Dept., dated. 03.10.2024.

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ORDER:

In the reference 2nd & 3rd read above, Government have accorded sanction under Rule 24 of APCS (CC&A) Rules 1991/Rule 9(1) and (2) clause (a)&(b) of revised pension Rules, 1980 to initiate common departmental proceedings against Sri Md.Usman. Sl of Police and others for the irregularity committed while working in District Police Office, Kakinada, East Godavari District.

2. It is proposed to hold an enquiry against Sri M.J.Sudhakar, the then Office Supdt D.P.0 erstwhile East Godavari District, Kakinada and retired from service as Administrative Officer in 3rd Bn.. A.P.S.P.Kakinada under Rule 9 (2) (a) of the A.P. Revised Pension Rules, 1980 r/w under Rule 20 of the Andhra Pradesh Civil Services (Classification, control & Appeal) Rules, 1991.

3. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of charge (Annexure I). A statement of the imputations of misconduct or misbehavior in support of each articles of charge is enclosed (Annexure – I). A list of documents by which, and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure III and IV).

4. Sri M.J.Sudhakar, the then Office Supdt D.P.0 erstwhile East Godavari District, Kakinada and retired from service as Administrative Officer in 3rd Bn.. A.P.S.P.Kakinada is directed to submit within 15 days of the receipt of this memorandum a written statement of his defense and also to state whether be desired to be heard in person.

5. Sri M.J.Sudhakar, the then Office Supdt D.P.0 erstwhile East Godavari District, Kakinada and retired from service as Administrative Officer in 3rd Bn.. A.P.S.P.Kakinada is informed that an inquiry will be held only in respect of those Articles of Charge are not admitted. He should therefore specifically admit or deny each Articles of Charge.

(P.T.O)

6. Sri M.J.Sudhakar, the then Office Supdt D.P.0 erstwhile East Godavari District, Kakinada and retired from service as Administrative Officer in 3rd Bn.. A.P.S.P.Kakinada is further informed that if he does not submit his written statement of defense on or before the date of specified in Para 4 above, further action will be processed based on the material available.

7. Attention of Sri M.J.Sudhakar, the then Office Supdt D.P.0 erstwhile East Godavari District, Kakinada and retired from service as Administrative Officer in 3rd Bn.. A.P.S.P.Kakinada is invited to Rule 24 of the Andhra Pradesh Civil Service (conduct) Rules 1964 and under which no Govt. Servant shall bring or attempt to bring any extraneous influence to bear upon any authority for the furtherance of his interests. If any representation is received in his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri Ch.Satyanarayana, Retd.P1-St.Asst., is aware of such a representation and that it has been made at his instance and action will be taken against him for violating of rule of the Andhra Pradesh Civil Services (Conduct) Rules, 1964. The receipt of the Government order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

Encl:- (Annexure I to IV)

To
Sri M.J.Sudhakar, the then Office Supdt D.P.0 erstwhile East Godavari District, Kakinada and retired from service as Administrative Officer in 3rd Bn..
A.P.S.P.Kakinada through the DGP, AP, Mangalagiri.

Copy to:-
The DGP, AP, Mangalagiri (with a request to cause its service on the individual and return the dated acknowledgement copy to the same).
The PS to Principal Secretary to Government, Home Department.
The OSD to Hon'ble Min (Home).
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGE FRAMED AGAINST SRI MJ SUDHAKAR, THE THEN OFFICE SUPDT., D.P.O., ERSTWHILE EAST GODAVARI DISTRICT, KAKINADA AND RETIRED FROM SERVICE AS ADMINISTRATIVE OFFICER IN 3D BN., A.P.S.P.. KAKINADA ON ATTAINING THE AGE OF SUPERANNUATION ON 31.01.2018.

That, Sri M.J.Sudhakar, Retd.Administrative Officer, 3rd Bn., A.P.S.P., Kakinada previously worked as Office Supdt., P-Section, D.P.O., erstwhile East Godavari District, Kakinada from 08.08.2011 to 14.06.2013 being a supervising officer of Pay section exhibited gross dereliction of his legitimate duties and slack supervision over the functioning of his subordinate office staff and failed to scrutinize the pay bills submitted by the District Police Staff promptly and gave scope to one Md. Usman, SI of Police.974 who was attached to District Police Office to draw 15% ANS allowance for the period from January, 2013 to June, 2013 which was actually intended to be given to Police personnel who are working in Anti Naxal Squad and deployed in naxal affected areas without any sanction order or memo from the competent authority though he was not eligible to draw the ANS allowance and thus caused financial loss to the Government exchequer, thereby violated Rule-3(1), 3(2)& 3(3) of A.P.C.S. (Conduct) Rules, 1964"

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATION FRAMED AGAINST SRI M.J.SUDHAKAR, THE THEN OFFICE SUPDT., D.P.O., ERSTWHILE EAST GODAVARI DISTRICT, KAKINADA AND RETIRED FROM SERVICE AS ADMINISTRATIVE OFFICER IN 3RD BN., A.P.S.P.. KAKINADA ON ATTAINING THE AGE OF SUPERANNUATION ON 31.01.2018, BASIS OF CHARGE:-

That Sri M.J.Sudhakar, Retd.Administrative Officer, 3rd Bn., A.P.S.P., Kakinada while working as Office Supdt., P.Section, D.P.O., erstwhile East Godavari District, Kakinada from 08.08.2011 to 14.06.2013. He is hereinafter called as charged officer. Sri Md. Usman, SI of Police.974 was attached to District Police Office, erstwhile East Godavari District, Kakinada for the maintenance of computers and Server Administration vide C.No.10128/12/2002, dt.23.11.2002 by the then Supdt. of Police, erstwhile East Godavari District, Kakinada.

Sri Md.Usman, Sl of Police.974 had drawn ANS (Anti Naxal Squad) allowance for the period from January, 2013 to July, 2014. As seen from the postings/transfers of Sri Md. Usman, SI of Police. 974 he did not work in ANS from 2012 to 2020. No order or memo is available in DPO, Kakinada regarding sanction of ANS allowance to Sri Md. Usman, SI of Police.974. As per available documents, he worked in DSB (Counter Intelligence Cell) and IT Core Team on attachment basis only. Though any Police person can work anywhere on attachment basis, salary shall be drawn from the parent Police Station only and thus Sri Md.Usman, SI was not entitled to draw ANS allowance, but the SI had drawn, without any sanction order or any sanction memo from the competent authority.

On verifying the long roll particulars of Sri Md.Usman, Sl of Police 974 and as per the statements of witnesses, it is noticed that he had drawn ANS allowance which was intended to be paid to the Police personnel who were actually worked in Anti Naxal Squad and who were deployed in naxal affected areas. But he drew the ANS allowance for the period from January, 2013 to July, 2014 without working in Anti Naxal Squad and even without deployment to Naxal affected area.

Thus, the charged officer being a supervising officer of Pay section exhibited gross dereliction of his legitimate duties and slack supervision over the functioning of his subordinate office staff and failed to scrutinize the pay bills submitted by the District Police Staff promptly and gave scope to one Md.Usman, SI of Police.974 who was attached to District Police Office to draw 15% ANS allowance for the period from January, 2013 to June, 2013 which was actually intended to be given to Police personnel who are working in Anti Naxal Squad and deployed in naxal affected areas and without any sanction order or any sanction memo from the competent authority though he was not eligible to draw the ANS allowance. Thus he caused financial loss to the Government exchequer.

Thus, charged officer by his above acts has involved in moral turpitude and also exhibited lack of integrity and devotion into duty and thereby violated Rule-3(1), 3(2) & 3(3) of A.P.C.S. Conduct Rules, 1964.

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PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.J.SUDHAKAR, THE THEN OFFICE SUPDT., D.P.O., ERSTWHILE EAST GODAVARI DISTRICT, KAKINADA AND RETIRED FROM SERVICE AS ADMINISTRATIVE OFFICER IN 3RD BN., A.P.S.P., KAKINADA ON ATTAINING THE AGE OF SUPERANNUATION ON 31.01.2018 ARE PROPOSED TO BE SUSTAINED.

1) Letter C.No.47/Camp-ER/Genl/2020, dt.25.01.2022 of the Deputy Inspector General of Police, Eluru Range, Eluru.

2) Letter C.No.47/Camp-ER/Genl/2020, dt.21.09.2021 of the Deputy Inspector General of Police, Eluru Range, Eluru.

3) Letter C.No.08/Addl.SP(L&O)/2020, dt.13.01.2022 of the Additional Superintendent of Police(L&O), Rajamahendravaram Urban Police District, Rajamahendravaram.

4) Letter dt.17.09.2021 of the Additional Superintendent of Police (L&O), Rajamahendravaram Urban Police District, Rajamahendravaram.

5) Statement of Sri Akireddy Ram Kumar, the then P-Section Supdt., District Police Office, erstwhile East Godavari District, Kakinada.

6) Copy of Memo C.No.3342/A1/2021, dt.09.12.2021 of the Superintendent of Police, erstwhile East Godavari District, Kakinada addressed to the Addl.Supdt. of Police(L&O), Rajamahendravaram Urban Police District, Rajamahendravaram.

7) Copy of Statement showing the Pay Drawn particulars of Sri Md.Usman, SI of Police, Krishna District, formerly worked in erstwhile East Godavari District, Kakinada for the period from 01/2012 to 10/2021.

8) Copies of Long Roll of the Force for the year from 2012 to 2021 pertaining to District Police Office, erstwhile East Godavari District, Kakinada.

9) Copy of Order in D.O.No.19/2012 (C.No.03/A1/2012), dt.19.01.2012 of the Superintendent of Police, erstwhile East Godavari District, Kakinada (Md.Usman, HC.974 posted to DSB, Kakinada (Counter Intelligence) and attached to 1.T. Core Team.

10) Copy of Order in D.O.No.1072/2012 (C.No.8184/A1/2012), dt.16.11.2012 of the Superintendent of Police, erstwhile East Godavari District, Kakinada (Md. Usman, HC.974, DSB, Kakinada(Counter Intelligence) and attached to LT. Core Team posted to Assistant Port Registration Officer.

11) Copy of Memo C.No.8343/A1/2014, dt.30.08.2014 of the Superintendent of Police, erstwhile East Godavari District, Kakinada. (Md.Usman, ASI of Police.974 of Sakhinetipalli PS attached to CI Cell, DSB, Kakinada).

12) Copy of Order in D.O.No.433/2019 (C.No.780/A1/2019), dt.06.06.2019 of the Superintendent of Police, erstwhile East Godavari District, Kakinada (Md. Usman,

HC.974, Sakhinetipalli PS attached to I.T. Core Team posted to PCR, Kakinada and attached to Cl Cell on his request).

13) Copy of Memo C.No.6597/A1/2020, dt.04.05.2020 of of the Superintendent of Police, erstwhile East Godavari District, Kakinada (Md.Usman, ASI of Police.974 V.R., Kakinada attached to DSB CI Cell, Kakinada attached to 1.T.Core Team).

14) Copy of Order in D.O.No.718/2010 (C.No.10567/A1/2020), dt.26.12.2020 of the Superintendent of Police, erstwhile East Godavari District, Kakinada (Md.Usman, HC.974, appointed as Assistant Port Registration Officer).

15) Any other document that is required during the course of Oral Enquiry.

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI M.J.SUDHAKAR, THE THEN OFFICE SUPDT., D.P.O., ERSTWHILE EAST GODAVARI DISTRICT, KAKINADA AND RETIRED FROM SERVICE AS ADMINISTRATIVE OFFICER IN 3RD BN., A.P.S.P., KAKINADA ON ATTAINING THE AGE OF SUPERANNUATION ON 31.01.2018 ARE PROPOSED TO BE SUSTAINED

1) Sri K.V.Mohan Rao, IPS., the then Deputy Inspector General of Police, Eluru Range, Eluru.

2) Smt. K.Lata Madhuri, the then Additional Superintendent of Police(L&O), Rajamahendravaram Urban Police District, Rajamahendravaram.

3) Sri B.Satyanarayana, Additional Superintendent of Police (AR), erstwhile East Godavari District, Kakinada.

4) Sri B.V.S.R.K.Nayak, the then Administrative Officer, District Police Office, erstwhile East Godavari District, Kakinada.

5) Sri Akireddy Ram Kumar, the then P-Section Supdt., District Police Office, erstwhile East Godavari District, Kakinada.

Any other witnesses, whose evidence is required during the course of Oral Enquiry.

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT